



Control Number: 51415



Item Number: 603

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SOAH DOCKET NO. 473-21-0538
PUC DOCKET NO. 51415

2021 MAY 27 PM 12:47

APPLICATION OF SOUTHWESTERN § BEFORE THE STATE OFFICE
ELECTRIC POWER COMPANY FOR § OF
AUTHORITY TO CHANGE RATES § ADMINISTRATIVE HEARINGS

SOAH ORDER NO. 13
OPTIONAL COMPLETENESS ADDITIONS; RATE CASE EXPENSES PROCEDURES;
PAGE AND WORD COUNT LIMITS FOR BRIEFS; BRIEFING OUTLINE AND
BRIEFING REQUIREMENTS; FILING MICROSOFT WORD DOCUMENTS

I. OPTIONAL COMPLETENESS ADDITIONS TO ADMITTED EXHIBITS

Any additional pages from admitted exhibits that are necessary to provide a complete exhibit for the party making an optional completeness objection are due on May 28, 2021. Objections, if any, to optional completeness additions are due no later than June 2, 2021. Responses to optional completeness objections will not be considered absent good cause shown.

II. RATE CASE EXPENSES PROCEDURES

On April 8, 2021, Southwestern Electric Power Company (SWEPCO) and Cities Advocating Reasonable Deregulation (CARD) filed updates to their rate case expenses incurred through that date. SWEPCO and CARD shall endeavor to file additional updates to their rate case expenses by mid-June and, on or before July 6, 2021, shall file their final rate case expense updates that will be considered in the Proposal for Decision to be issued in this docket. On July 20, 2021, Staff shall file its final supplemental direct testimony regarding SWEPCO's and CARD's proposed rate case expenses. On July 27, 2021, SWEPCO and CARD may file their final supplemental rebuttal testimony addressing Staff's July 20, 2021 final supplemental direct testimony. No later than July 28, 2021, Staff, SWEPCO, or CARD may file a request for a hearing on the rate case expense testimony filed in July 2021. If a hearing is requested, that hearing will be convened on short notice during the first week of August 2021, and will be limited to addressing the July 2021 rate case expense testimony.

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III. PAGE AND WORD LIMITS APPLICABLE TO BRIEFS

SWEPCO's initial and reply briefs are limited to the greater of 150 pages or 52,500 words. Staff's and Intervenor's initial and reply briefs are limited to the greater of 100 pages or 35,000 words.

IV. BRIEFING OUTLINE AND BRIEFING REQUIREMENTS

The proposed briefing outline filed by SWEPCO in Microsoft Word format on May 24, 2021, is adopted for use and shall be followed in this proceeding. As to all issues other than rate case expenses (which are governed by the procedures and deadlines prescribed in Section II, above), the record will close on July 1, 2021, the deadline for filing reply briefs.

As required by State Office of Administrative Hearings (SOAH) Order No. 4:

- SWEPCO shall provide a response to each issue listed in the briefing outline in its initial brief. Other parties may respond to the issues that they deem necessary to support their positions. In their briefs, parties other than SWEPCO should omit outline headings for issues they do not address, but should not change the letter or number the agreed outline assigns to issues they address. Parties may add additional levels of subheadings for issues requiring longer discussion. Parties are encouraged to submit joint briefs, proposed findings of fact (FoFs), proposed conclusions of law (CoLs), and proposed ordering paragraphs (OPs) to the extent they agree on issues. Arguments shall not be submitted with the FoFs, CoLs, or OPs.
- All initial briefs and reply briefs that are more than five pages long shall have a table of contents with page numbers. Reply briefs shall be limited to responding to other parties' initial briefs and shall clearly identify the initial brief (by party) and specific portion thereof (by heading or page numbers) to which the reply brief is responding.

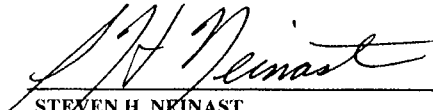
- All factual assertions in briefs shall be supported by evidence admitted at the hearing for which a specific citation is provided in footnotes. To avoid confusion, if both native and Bates page numbers appear on a page of an exhibit being cited, the parties shall cite to the Bates-numbered pages, if any. Where necessary, the parties should identify which type of page number is being cited in its initial footnote citing that exhibit.
- The Administrative Law Judges (ALJs) may consider waived any statement or argument set forth in a brief to the extent that it: (1) lacks accurate citations to the evidence and law; or (2) is in a party's reply brief but should have been in its initial brief.
- Parties shall try to avoid filing any portion of their briefs confidentially by discussing exhibits covered by the Protective Order in a way that does not reveal protected information and referring the ALJs to the protected exhibits or the confidential portions of the transcripts for more detail.

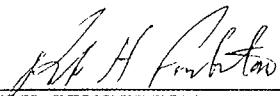
V. MICROSOFT WORD DOCUMENTS

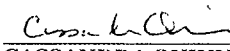
The parties are encouraged to file Microsoft Word versions of their briefs on the Public Utility Commission of Texas Interchange.¹ SOAH has implemented revised procedures relating to emailing courtesy copies to SOAH. Accordingly, the parties **SHALL NOT** email courtesy copies of any document to SOAH.


¹ See 16 Tex. Admin. Code § 22.72(i)(1) ("Electronic filings shall be made in accordance with the current list of preferred file formats available in Central Records and on the commission's World Wide Web site") and <https://www.puc.texas.gov/industry/filings/FilerFaq.aspx> (listing Microsoft Word as a common file type that the Commission Interchange supports).

SIGNED May 27, 2021.


STEVEN H. NEINAST
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS


ROBERT H. PEMBERTON
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS


CASSANDRA QUINN
ADMINISTRATIVE LAW JUDGE
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ANDREW LUTOSTANSKI
ADMINISTRATIVE LAW JUDGE
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